

YOUTH SERVICES POLICY

Title: Americans With Disabilities Act Next Annual Review Date:	Type: B. Classification, Sentencing and Service Functions Sub Type: 8. Youth Related Services Number: B.8.8
	Page 1 of 2
References: Americans with Disabilities Act of 1990, ACA Standards 3-JTS-2C-09 (Juvenile Training Schools); Federal Register, July 26, 1991 (28 CFR Part 35); Nondiscrimination on the Basis of Disability in State and Local Services - Final Rule; and YS Policy No. B.5.3 "Administrative Remedy Procedure"	
STATUS: Approved	
Approved By: <i>Simon Gonsoulin, Assistant Secretary</i>	Date of Approval: 02/28/2005

1. **AUTHORITY:**

Acting Assistant Secretary of the Office of Youth Development as delegated on January 27, 2004 by the Secretary of the Louisiana Department of Public Safety and Corrections.

2. **PURPOSE:**

To establish the Deputy Secretary/Assistant Secretary's commitment to compliance with the Americans with Disabilities Act as it pertains to services and programs for youth in Youth Services (YS) custody and/or under supervision.

3. **APPLICABILITY:**

Undersecretary, Assistant Secretary, Deputy Assistant Secretaries, Facility Directors, Probation and Parole Program Director, Regional Managers, YS Central Office ADA Coordinator and all youth assigned to or under the supervision of Youth Services (YS).

4. **DEFINITIONS:**

Americans with Disabilities Act (ADA) – a comprehensive law passed by Congress to protect disabled persons from discrimination in employment, hiring, transportation, access to public facilities and services, and telecommunications.

Disability – with respect to an individual, the term “disability” means:

YS Policy No. B.8.8

Page 2

- a physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- a record of such impairment; or
- being regarded as having such impairment.

Regional Managers - Managers of the DYS field offices located throughout the state.

YS Central Office - Offices of the Deputy Secretary, Undersecretary of the Office of Management and Finance or designee, Assistant Secretary of the Office of Youth Development and their support staff.

5. POLICY:

It is the Deputy Secretary/Assistant Secretary's policy to provide youth with access to housing, programs and services regardless of disability to the extent possible within the context of YS fundamental mission to preserve the safety of the public, staff and youth and consistent with other classification variables that may affect custody, living area and program assignments.

Access to living areas, programs and services includes the initiation and provision of reasonable accommodations including, but not limited to facility modifications, assistive equipment and devices and interpreter services. However, such accommodation should not constitute a danger to the youth or others.

6. PROCEDURES:

- A. A youth with a disability may be able to function without any accommodation other than that which may already have been provided. If additional accommodation is necessary, a request for same should be addressed to the Facility Director (if secure care) or Regional Manager (if non-secure care) for consideration and appropriate action. The request may be oral or written. The "Request for Accommodation" form [Attachment B.8.8 (a)] should be initiated for each request.
- B. The Facility Director/Regional Manager will forward the completed Request for Accommodation form with attachments to the YS Central Office ADA Coordinator for review. The YS Central Office ADA Coordinator will work with the Facility Director/Regional Manager regarding any concerns. If it is believed the accommodation cannot be reasonably accomplished, the Facility Director/Regional Manager will

YS Policy No. B.8.8
Page 3

forward the case file with an action plan to the Deputy Secretary/Assistant Secretary, or designee, for review.

- C. If a youth is not satisfied with the results of the request for accommodation, he may seek relief through the Administrative Remedy Procedure (ARP).

Previous Regulation/Policy Number: B-08-010 / B.8.8
Previous Effective Date: December 15, 1995



Attachments/References: B.8.8 (a) Request for Accommodation.pdf